

Direction to LDC Base Motion - Kitchen

Topic- Transition Zones R4-RM1 (text / map)

DIRECTON 1: Side Setback Compatibility

-To provide transition and compatibility for residential lots that share side lot lines with tracts that front corridor. Several zoning categories for corridor tracts have zero feet side setback, placing buildings on the property line that are shared with a residential property. Consider solutions such as the following:

1. Rezone corridor tract to a category that provides side setback; or
2. Rezone residential properties with a shared side condition to a category that triggers compatibility; or
3. Include exception language for MS/MU/Commercial zoning categories that “if the commercial property abuts the side of a residential property for X (some determined) distance, then compatibility applies”

Council Priority Q1 Scope of Revision, 4, h.

h. Land Use and Zoning Categories.

i. The new LDC should focus on the size and scale of the built environment and regulate uses through context-sensitive policies that are clearly identified in the code and apply equitably throughout the City instead of through by-lot zoning regulations. Use restrictions should continue and be improved through a framework that identifies a range of incompatible uses among zoning categories, such as to avoid adult entertainment, hazardous industrial, or other activities that aren't supportive to surrounding residential or civic uses. Simple, clear requirements of conditions should be established, such as distance requirements and hours of operation.

Council Priority Q4 Compatibility, 3. Code Text:

k. The City Manager shall also use the following conditions as appropriate when mapping transition areas:

- i. Orientation of blocks relative to corridors*
- ii. Residential blocks sided by main street or mixed use type zoned lots*
- i. Bound by other zones, use, or environmental features (including topography)*
- ii. Drainage and flooding considerations*
- iii. Whether it is most appropriate to split zone or not split zone a lot.*

DIRECTION 2: Dumpster location

-Minimize disruptions and conflicts with residential and commercial service needs

1. Consider incorporation of East Riverside Corridor Regulating Plan design standards as it relates to dumpster location and requirements to minimize disruptions for dumpster services. This should consider appropriate distances from residences, screening requirements, as well as frequency and allowable hours of service.

Council Priority Q4 Compatibility, 2. Code Text:

Maintain Draft 3's no-build and vegetative buffers between residential and commercial uses, as well as other compatibility triggers and standards for properties adjacent to a Residential House-Scale zone. The only exception should be that the highest density Residential House-Scale zones should not trigger compatibility onto the lowest density Residential Multifamily zones in order to create smooth transitions. The revision should provide options for the following:

- iv. *Standards related to noise, uses, utility screening, side buffers, trash, loading and pickup zones as well as shielded lighting.*
- v. *ii. Standards related to Green Infrastructure, tree preservation, as well as increasing tree canopy along corridors and centers to enhance walkability and curb heat island effect.*

DIRECTION 3: General Parking Requirements

-Allow reduced parking where there is a sidewalk present or funding is identified to provide a sidewalk to support walkability and public safety

1. Explore approaches to ensure that infrastructure important for walkability and multimodal transportation are on site at the time or prior to new developments in areas within ½ mile of corridors. Consider options such as city using bonds to upfront costs of sidewalk construction with reimbursement from developers and delaying or phasing in parking reductions until funding is identified for sidewalks.

Council Priority Q1 Scope of Code Revision, 4. Code Text:

i. Transportation and VMT. Developments should be able to use a predetermined set of transportation demand management tools such as building additional bike lanes or sidewalks, providing bike storage, public transit stops and other mechanisms.

DIRECTION 4: Parking requirements in transition areas

-Rather than eliminate all parking requirements include short-term temporary use parking to ensure that caregivers, meal delivery drivers, and volunteer or ride share drivers have access to seniors' housing, as recommended by the Commission on Seniors (#20191113-04B)

1. In areas where all parking requirements are to be eliminated, instead include temporary, short-term parking for safe pick-up and drop off, short-term parking for caregivers or deliveries. Those who serve the needs of older adults and others who need assistance are not likely to qualify accessible parking

Council Priority Q1 Scope of Revision, 4, g.

g. Age Friendly Policies. Propose options for provisions in the LDC to carry out the land use recommendations from the Age Friendly Action Plan, including supports for multigenerational housing, visitability, and other provisions. Additionally, there should be provisions that enable day cares and senior living centers in all parts of the City, at a scale commensurate with its surroundings.

Council Priority Q5 Parking Requirements, 2, b.

b. The City's visitability ordinance should be retained and expanded to ground floor missing middle housing in the new code and staff shall provide options for how it is expanded. ADA-compliant parking should be required for commercial and multifamily developments, even if no minimum parking is otherwise required to ensure adequate number of dedicated parking spaces exist to safeguard those with permanent disabilities, temporary illness or injury are afforded a place to park near where they live, shop, or visit others. Off-site or on-street parking may challenge safety and accessibility and should be carefully considered before being used as a means to provide for this parking. This is of critical importance with an aging population and generational housing.

DIRECTION 5: Reduce restrictions on parking for eldercare facilities

-To ensure enough parking to enhance visitability. (PC A 13)

1. Encourage accessible elder care by reducing restrictions, including parking, on elder care facilities, including occupancy limits, in all zoning categories, except industrial and airport zones.

Council Priority Q1 Scope of Revision, 4, g.

g. Age Friendly Policies. Propose options for provisions in the LDC to carry out the land use recommendations from the Age Friendly Action Plan, including supports for multigenerational housing, visitability, and other provisions. Additionally, there should be provisions that enable day cares and senior living centers in all parts of the City, at a scale commensurate with its surroundings.

DIRECTION 6: Review transition zone areas greater than 5 lots

-To review Council's direction to map depth 2-5 lots.

- 1. Identify and review Transition Areas where application of Council direction resulted in a depth of greater than 5 lots, determine the contextual factors that resulted in a greater number of lots included in the Transition Zone, and estimate the additional units achieved using both the "feasible capacity" percentage factor and the total additional units without the factor.**
- 2. Staff is directed to provide Council with a report containing this information in January.**
- 3. Review Activity Centers and apply the same criteria for mapping areas adjacent to Activity Centers as was applied for those adjacent to corridors and Transit Priority Networks**

Council Priority Q3 Missing Middle, 2, a.

a. Map new Missing Middle housing in transition areas adjacent to activity centers, activity corridors, or the transit priority network.

i. Generally, the transition area should be two (2) to (5) lots deep beyond the corridor lot.

ii. The depth and scale of any transition area should be set considering context sensitive factors and planning principles such as those set out in the direction for Question 4.

Topic- Residential MU, MU, MS, and other zones (text / map)

DIRECTION 7: Review MU/MS categories

-To ensure we provide appropriate zoning to achieve and support transit and corridor investments with housing opportunities.

1. Staff is directed to explore a zoning category that would enable and ideally incent large retail centers along corridors and major transit intersections, when they redevelop, to incorporate housing, including affordable housing. In addition, explore appropriateness of the proposed MU and/or MS zoning for tracts along corridors and major transit intersections, to accomplish and incent greater opportunity for affordable housing in mixed use developments, including capturing current “V” designations
2. Review MU and MS mapping along corridors, particularly along major transit corridors and those being upgraded with significant multi-modal transportation bond improvements.
3. Ensure the designated zoning provides maximum affordable housing potential, particularly on the larger corridor tracts at major intersections, including capturing or utilizing current “V” designations.
4. Review use assignments for MU and MS to ensure maximizing housing opportunities along transit corridors are not diminished by such uses as personal storage or uses in conflict with residential use.

Council Priority Q2 Housing Capacity, 1, b.

b. In general, within activity centers, along activity corridors, along the transit priority network, and in transition areas, additional entitlements beyond current zoning should only be provided:

- ii. through a density bonus that requires some measure of affordable housing.*

Council Priority Q1 Scope of Revision, 4, h.

h. Land Use and Zoning Categories.

- ii. Propose options for prohibiting uses along corridors that displace potential housing opportunities, such as self-storage facilities or other uses that do not contribute to overall policy goals.*

DIRECTION 8: Mature Uses in MU5B zone

-To provide family friendly housing in dense residential category

1. Explore options for revising proposed restrictions and/or creating a public process for appealing the uses under MU5B zoning that allow for adult entertainment in a residential location.
2. Proposed code currently provides for location restrictions such as:
 - 1) within 1000 feet of another adult entertainment establishment;
 - 2) within 1000 feet of a lot with a school, church, public park or playground, licensed day-care, museum or library is located; or
 - 3) where 50 percent or more of the lots within 100- foot radius are zoned or used for a residential use.
3. On this last restriction, please consider modifications as follows:
 - Adjusting 50% threshold and provide rational or consideration of a more sensitive/protective threshold percentage for families; and

- Include residences that are part of the actual commercial tract in considering number of impacted residential units triggering restriction.

Council Priority Q1 Scope of Revision, 4, h.

h. Land Use and Zoning Categories.

i. The new LDC should focus on the size and scale of the built environment and regulate uses through context-sensitive policies that are clearly identified in the code and apply equitably throughout the City instead of through by-lot zoning regulations. Use restrictions should continue and be improved through a framework that identifies a range of incompatible uses among zoning categories, such as to avoid adult entertainment, hazardous industrial, or other activities that aren't supportive to surrounding residential or civic uses. Simple, clear requirements of conditions should be established, such as distance requirements and hours of operation.

Topic - Affordable Housing (Density Bonuses, etc)

DIRECTION 9: Maintain “V”- Vertical Mixed Use for affordable housing creation

-To ensure we maintain zoning on properties currently with -V designation

1. Carry over existing -V zoning designation on tracts to preserve the existing affordable requirements related to minimum residential units and 10% affordability based on total square footage of the development.

Council Priority Q1 Scope of Revision, 4, e.

e. Staff to provide options for timelines and methods for implementation of the new code and map and to achieve additional housing capacity and affordable housing goals beyond those contained in the new code and map.

DIRECTION 10: Extend VMU set asides for AHBP

- To ensure broader opportunities for affordability

1. Explore ways for Properties to access AHBP with at least 10% set asides
2. Explore ways to review and make determinations for participation level on a 3 year review cycle.

Council Policy Direction Document Addition 2. Affordable Housing, 2, d.

d. Create New and Affordable Housing Choices for All Austinites in All Parts of Austin

DIRECTION 11: Reduce Requirements for Initial Ground Floor Commercial Use in VMU

To ensure greater flexibility for residential affordability and future commercial

1. Where market does not yet support ground floor commercial use, explore ways to reduce or eliminate those requirements so that the ground floor space can be used as occupied residential space, provided that such ground floor space is constructed in such a way that it is able to be converted to pedestrian oriented commercial use in the future when warranted.

Council Priority Q1 Scope of Revision, 4, e.

e. Staff to provide options for timelines and methods for implementation of the new code and map and to achieve additional housing capacity and affordable housing goals beyond those contained in the new code and map.

DIRECTION 12: Strike definition of “Transitional and Supportive Housing” in 23-C-2030 Land Use Definitions

- To remediate the confusion around distinguishing different populations in need of housing

1. Remove barriers to supportive housing in the proposed code.
2. In accordance with the Fair Housing Act, reduce barriers for transitional housing and refine its definition.
3. Report back to council on the above two directions before second reading.

Council Policy Direction Document Addition 2. Affordable Housing, 1 and 2

1. Objective:

- Produce Permanent Supportive Housing (PSH) in sufficient numbers to meet the need*

2. Code Text:

- d. Create New and Affordable Housing Choices for All Austinites in All Parts of Austin
 - *Streamline City Codes and Permitting Processes*

DIRECTION 13: Diversify, Sustain, and Cultivate Art, Music and Culture (PC I 18)

-To ensure we provide path to codify opportunities for creation and cultivation of the City’s artistic community.

1. Create a new article: 23-3F: Diversify, Sustain, and Cultivate Art, Music, and Culture. Creation will provide path for future work by staff with the community to establish its General Provisions and content to sustain, diversify, and strengthen the music and arts industries and communities.

The new section will provide city-wide regulations to promote arts, music, and culture with the goals of protecting existing assets and promoting new ones in areas inequitably deficient of art, music, and cultural assets, supporting housing and jobs for musicians and artists and sustain these important elements of Austin’s economy.

Council Priority Q1 Scope of Revision, 4, f.

- f. Creative Spaces. Propose options to preserve creative space, including but not limited to zoning categories specific to cultural spaces and incentives to create dedicated, below market rate creative spaces in developments along corridors and in centers.*

Topic - Non-Zoning (Drainage, Water Quality, Transportation, Trees, Parkland, Signs, etc)

DIRECTION 14: Water Forward

-To ensure climate resiliency and responsible stewardship of water resources.

1. To promote beneficial reuse of stormwater, conserve potable water, improve soil moisture and enhance creek baseflows, include a beneficial use of stormwater provision that requires sites to keep rainfall from smaller storms on-site and require a portion of the captured water to be beneficially used on-site.

Council Priority Q1 Scope of Revision, 4, j.

j. The new LDC should provide for the following as it relates to shaping the City's sustainable water future by preventing flooding, protecting water quality, and promoting water conservation:

i. Developments should retain more water on-site and encourage beneficial reuse. AND

v. Coordinate with Water Forward to Reduce Water Demand.

DIRECTION 15: Parcel Environmental Constraints / Conflicts

-To continue the City's high standard for public safety and environmental protection.

1. Explore expansion of a proposed zoning category that provides and preserves public safety and environmental sensitivities for existing residential 10,000 sf large lot tracts in floodplain and aquifer recharge areas and to discourage subdivisions in areas that endanger or compromise public safety and environmental sensitivities.

2. Consider R1A for current R1 small lots and new R1B for these targeted large lots.

Council Priority Q1 Scope of Revision, 4, j.

a. The revised Code text and map should result in reduced allowable city-wide impervious cover, improved city-wide water quality, and reduced overall flood risk.

Topic - Process (Site Plans, Subdivisions, Variances, etc)

DIRECTION 16: Capture of Conditional Overlays (Cos)

- To continue the City's efforts to maintain negotiated and agreed upon conditions that were not captured by proposed zoning assignments

1. Review and explore ways to recapture conditions of zoning on parcels related to provision for additional housing and aspects mitigating transportation impacts, particularly cases approved within five years.

Council Priority Q1 Scope of Revision, 5, b.

b. COs that are generally incorporated into the new code are not to be carried forward; other, unique COs are carried forward and are subject to change with any future rezoning.

DIRECTION 17: Equitable Approach to Deed Restrictions

-To ensure outcomes related to enforcement of private deed restrictions is not inequitably impacting communities with less means

1. Explore ways to reduce confusion about where deed restrictions apply and avoid creating zoning conflicts and subsequent enforcement burdens, particularly in areas with less financial resources available.
2. Important to avoid inequitable impacts to different communities based on financial means or limitations to enforce deed restrictions.

Topic From Council Policy Direction Document- Addition 1. Planning

Direction 18: Development of a proposed district level planning process for Imagine Austin Activity Centers and Corridors susceptible to change.

-Direction to develop district level planning process to meet goals outlined in the LDC Revision Policy Direction document.

Council Priority Addition 1, 2, a and b.

The City Manager shall draft language for Council approval to codify the district level planning process and the criteria for selecting planning areas in the Land Development Code as follows:

- a. Selection of Planning Areas: Identify geographic areas along corridors throughout the city where district level planning will have maximum public benefit, paying particular attention to corridors (including streets and arterials) identified in the ASMP, Project Connect, and where construction, planning, and land acquisition with done dollars will be applied and can be leveraged.*
- b. Planning Process Criteria: Determine when district-level planning for an area is needed to align with our adopted city goals and plans, including Imagine Austin, ASHB, ASMP, Age Friendly Austin Action Plan, the upcoming Parks Master Plan, and other relevant plans. Criteria should include, but not be limited to, the following information sources:*
 - i. Planned transportation investments, including corridors with transportation bonds and public transit investments;*
 - ii. Affordable housing investments;*
 - iii. Significant number or scale of private development;*
 - iv. Market force indicators expressing need and opportunity to leverage an area's potential or significant public investment via facilities or other infrastructure;*
 - v. Areas of vulnerability identified using the mapping tool from the UT Gentrification & Displacement Study, "Uprooted"; and*
 - vi. Include consideration for inhibiting displacement, preserving cultural and historic assets, promoting multi-generational housing, and support neighborhood schools, particularly schools with under –enrollment or in areas of rapid displacement.*